

1 MELVIN R. GOLDMAN (CA SBN 34097)  
MGoldman@mofo.com  
2 JAMES P. BENNETT (CA SBN 65179)  
JBennett@mofo.com  
3 PAUL FLUM (CA SBN 104424)  
PaulFlum@mofo.com  
4 RYAN G. HASSANEIN (CA SBN 221146)  
RHassanein@mofo.com  
5 MORRISON & FOERSTER LLP  
425 Market Street  
6 San Francisco, California 94105-2482  
Telephone: 415.268.7000  
7 Facsimile: 415.268.7522

8 Attorneys for Defendant McKesson Corporation

9  
10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO DIVISION  
13

14 THE COMMONWEALTH OF VIRGINIA,  
15 Plaintiff,  
16 v.  
17 MCKESSON CORPORATION  
18 Defendant.

Case No. C 11-02782 SI  
STIPULATION AND ~~[PROPOSED]~~  
ORDER REGARDING OUTSTANDING  
DISCOVERY DISPUTES  
Trial Date: November 18, 2013

1 WHEREAS, fact discovery in this matter closed on Monday, June 17, 2013, and trial is  
2 scheduled to begin on November 18, 2013.

3 WHEREAS, Defendant McKesson Corporation and Plaintiff Commonwealth of Virginia  
4 (collectively the "Parties") are in the process of meeting and conferring pursuant Section 2 of this  
5 Court's Standing Order regarding certain discovery disputes.

6 WHEREAS, Section 2 of this Court's Standing Order provides that if litigants cannot  
7 resolve discovery disputes informally through the meet and confer process, they shall submit a  
8 joint statement to the Court stating the nature and status of their dispute, and further provides that,  
9 after considering the joint statement, the Court will advise the parties regarding the need, if any,  
10 for more formal briefing or a hearing, pursuant to Civil Local Rule 7-1(b).

11 WHEREAS, pursuant to Local Rule 37-3, all motions to compel must be filed no more  
12 than seven days after the close of discovery, *i.e.*, June 21, 2013.

13 WHEREAS, the Parties wish to continue their meet and confer discussions and believe  
14 that it would be beneficial to establish a July 8, 2013 deadline to submit a joint statement if they  
15 are unable to fully resolve the current discovery disputes.

16 NOW THEREFORE, SUBJECT TO COURT APPROVAL, THE PARTIES STIPULATE  
17 that the deadline to comply with the provisions of the Court's Standing Order regarding discovery  
18 disputes, including the submission of a joint statement regarding any matters that remain in  
19 dispute after conclusion of the meet and confer process, shall be July 8, 2013, without waiver of  
20 their right to file a motion to compel thereafter if authorized by the Court.

21 The PARTIES FURTHER STIPULATE that this Stipulation and Proposed Order shall not  
22 be the basis for any Party to seek a continuance of the trial date or any other case deadline.

1 IT IS SO STIPULATED.

2 Dated: June 21, 2013

MELVIN R. GOLDMAN  
PAUL FLUM  
JAMES P. BENNETT  
RYAN G. HASSANEIN  
MORRISON & FOERSTER LLP

5  
6 By: /s/ Paul Flum  
Paul Flum

7 425 Market Street  
8 San Francisco, California 94105  
9 Telephone: (415) 268-7000  
Facsimile: (415) 268-7522

10 Counsel for Defendants  
McKESSON CORPORATION

11  
12 Dated: June 21, 2013

STEVE W. BERMAN  
BARBARA A. MAHONEY  
HAGENS BERMAN SOBOL SHAPIRO LLP

14 By: /s/ Barbara A. Mahoney  
15 Barbara A. Mahoney

16 Steve W. Berman  
17 1918 Eighth Avenue, Suite 3300  
Seattle, WA 98101  
18 Telephone: (206) 623-7292  
Facsimile: (206) 623-0594  
19 [steve@hbsslaw.com](mailto:steve@hbsslaw.com)  
barbaram@hbsslaw.com

20 Jeff D. Friedman  
21 HAGENS BERMAN SOBOL SHAPIRO LLP  
22 715 Hearst Avenue, Suite 202  
Berkeley, California 94710  
23 Telephone: (510) 725-3000  
Facsimile: (510) 725-3001

Jennifer Fountain Connolly  
HAGENS BERMAN SOBOL SHAPIRO LLP  
1629 K St. NW, Suite 300  
Washington, D.C. 20006  
Telephone: (202) 355-6435  
Facsimile: (202) 355-6455

Lelia P. Winget-Hernandez  
Assistant Attorney General  
VIRGINIA OFFICE OF THE ATTORNEY  
GENERAL  
900 East Main Street  
Richmond, Virginia 23219  
Telephone: (804) 786-1584  
Facsimile: (804) 786-0807

Counsel for Plaintiff  
COMMONWEALTH OF VIRGINIA

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: June ~~21~~, 2013



Hon. Susan Illston  
United States District Judge

**GENERAL ORDER 45 ATTESTATION**

I, Paul Flum, am the ECF User whose ID and password are being used to file this Stipulation and [Proposed] Order Regarding Outstanding Discovery Disputes. In compliance with General Order 45, X.B., I hereby attest that Barbara Mahoney has concurred in this filing.

Dated: June 21, 2013

By: /s/ Paul Flum

PAUL FLUM

Counsel for Defendant  
McKESSON CORPORATION